

OFFICIAL COUNCIL PROCEEDINGS

A Regular meeting of the City Council of the City of Menomonie, Dunn County, Wisconsin, was held in open session on March 7, 2016, and called to order by Mayor Knaack at 7:00 p.m. in the City Council Chambers. The following members were present: Luther, Traxler, Sutherland, Ischer, Cook, Schwebs, Peterson, Cruz, Erdman, and Mercil. Solberg was absent.

MOTION made by Cook, seconded by Cruz, and carried to approve the minutes from the February 15, 2016 meeting.

PUBLIC HEARING – None.

PUBLIC COMMENTS – Kate Laird, Director of Grass Roots Wellness, let the Council know that Grass Roots Wellness will be opening soon. Earl Wildenberg with Community for Veterans spoke in regards to his request for the refund of the 2014 property taxes at 223 17th Ave West. George Cadott spoke to express his strong support for Menomonie Market Food Coop receiving the available “Class A” Liquor license. John Spare spoke in regards to the available “Class A” liquor license for his business Circle C & Deli, he stated that he is the only independent gas station in town and the liquor license would help him compete with other gas stations. Kathy Asper spoke about establishing criteria for the Council to consider when deciding on who should receive a liquor license. David Schafer from Gordy’s expressed their interest in the available license and stated that they have no other stores without beer or liquor sales. JP Doyle from Walmart petitioned the Council for Walmart to receive the license because they are looking to expand their business. Sandy White advocated for the postponement of issuing the available “Class A” Liquor license until guidelines for issuance can be created.

MOTION made by Cruz, seconded by Erdman, and carried to extend Public Comments by 15 additional minutes.

Laura Oliver expressed support for Menomonie Market Food Coop to receive the license stating they could bring variety to town. Dan Zebrowski stated the Council should award the available license to Menomonie Market Food Coop. Crystal Halverson with Menomonie Market Food Coop expressed her interest in her store acquiring the available license, stating they have been in town the longest and have been applying for a license for many years.

MOTION made by Traxler, seconded by Sutherland to table the issuance of the available “Class A” Liquor license, a roll call vote was taken resulting in a tie, the Mayor did not break the tie resulting in the motion failing.

MOTION made by Mercil, seconded by Erdman, and carried on a seven to three roll call vote to publish all three license applications that were received by the deadline (Walmart, Menomonie Market Food Coop, and Circle C & Deli) in the Dunn County News for the Council to consider at the March 21, 2016 meeting. Ayes: Luther, Cook, Schwebs, Peterson, Cruz, Erdman, and Mercil. Noes: Traxler, Sutherland, Ischer.

MOTION made by Cruz, seconded by Traxler, and carried to suspend the rules and allow the Assessor to address the Council.

MOTION made by Schwebs, seconded by Cook, and carried to allow Earl Wildenberg to address the Council.

MOTION made by Schwebs, seconded by Cruz, and carried unanimously on a roll call vote to reimburse the Community for Veterans the City’s portion of the 2014 property taxes at 223 17th Avenue West.

MOTION made by Mercil, seconded by Schwebs, and carried to suspend the rules and allow the Assessor to address the Council.

MOTION made by Mercil, seconded by Traxler, and carried unanimously on a roll call vote to disallow the excessive assessment claim and property tax refund request made by Bank Mutual, 717 Main Street.

MOTION made by Schwebs, seconded by Luther, and carried to suspend the rules and allow the Assessor to address the Council.

MOTION made by Schwebs, seconded by Luther, and carried unanimously on a roll call vote to approve the personal property assessment objection and refund request, for Matlin Corp., c/o Cherryberry at 2321 STH25 #305.

MOTION made by Cruz, seconded by Erdman, and carried to approve the 2015 Storm Water Annual Report.

MOTION made by Cruz, seconded by Cook to suspend the rules and allow Nick Rassbach to address the Council.

MOTION made by Cook, seconded by Peterson, and carried unanimously on a roll call vote to approve the sidewalk development agreement with Kwik Trip, on Stout Road.

ORDINANCE to amend section 5-1-3 regarding the possession and definition of knives was introduced by Traxler. MOTION to waive the first reading of the ordinance was made by Mercil, seconded by Ischer, and carried. MOTION to waive the second reading was made by Cook, seconded by Luther, and carried. MOTION to adopt the ordinance was made by Mercil, seconded by Traxler, and carried on a ten to one vote.

ORDINANCE rezoning an annexed parcel in Section 16, T28N, R12W to Local Commercial District (B-2) was introduced by Luther.

MOTION made by Luther, seconded by Cook, and carried to refer the ORDINANCE rezoning an annexed parcel in Section 16, T28N, R12W to Local Commercial District (B-2) to the Plan Commission for a recommendation.

MOTION made by Mercil, seconded by Ischer, and carried unanimously on a roll call vote to approve the 2016 Firefighter Local 1697 IAFF labor contract agreement.

BUDGET TRANSFER – MOTION made by Cook, seconded by Traxler, and carried unanimously on a roll call vote to approve a transfer of \$4,200 from Contingency Fund to Police Computer Purchase/Update fund for replacement computers.

MAYOR’S REPORT – The Mayor spoke about the Watershed Conference at UW-Stout on March 10th, and the success of the empty bowls event last weekend.

COMMUNICATIONS AND MISCELLANEOUS BUSINESS – MOTION TO RECONSIDER made by Cruz, seconded by Ischer, and tied on a roll call vote to reconsider the ORIGINAL MOTION made by Mercil, seconded by Erdman, to publish all three license applications that were received by the deadline (Walmart, Menomonie Market Food Coop, and Circle C & Deli) in the Dunn County News to take to Council at the next meeting March 21, 2016. The Mayor voted yes to break the tie, thus passing the motion to reconsider.

A revote of the ORIGINAL MOTION made by Mercil, seconded by Erdman, to publish all three license applications that were received by the deadline (Walmart, Menomonie Market Food Coop, and Circle C & Deli) in the Dunn County News to take to Council at the next meeting March 21,

2016 failed on a four to six roll call vote. Ayes: Traxler, Sutherland, Schwebs, and Peterson

Noes: Luther, Ischer, Cook, Cruz, Erdman, and Mercil.

MOTION made by Mercil, seconded by Cruz and carried on an eight to two roll call vote to publish all three license applications that were received by the deadline (Walmart, Menomonie Market Food Coop, and Circle C & Deli) in the Dunn County News to take to Council at the April 4, 2016 meeting. Ayes: Luther, Traxler, Cook, Schwebs, Peterson, Cruz, Erdman, and Mercil Noes: Sutherland and Ischer.

CLAIMS - MOTION made by Erdman, seconded by Luther, and carried unanimously on a roll call vote to approve payment of the following claims:

March 7, 2016 Claims

Claims 2015

K L Engineering	\$ 2,524.50
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Total \$ 2,524.50

Claims 2016

Cedar Corp	\$ 48,868.88
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R M Schlosser Excavating	32,800.62
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Schofield, Parent, Mayer & Huff	8,487.81
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TAPCO	4,050.00
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Total \$ 94,207.31

Parking Utility Claims

City Treasurer	\$ 351.10
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City Treasurer	916.88
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Total \$ 1,267.98

LICENSES - MOTION made by Luther, seconded by Cook, and carried to approve the following licenses:

OPERATORS:

Shayne D. Holtzman; Mara L. Jones; Brianna L. Holzem

Change of Ownership (effective 03/15/2016) --- Subject to Current license and Surrender Letter*

New applicant:

CLASS "A" Beer:

CAP Operations, Inc. (Holiday #59 – 1805 North Broadway St.), Kimberly A. Swanson – Agent.

The current licenses listed below will be surrendered by Corporation, SSG Holiday. A letter announcing the surrender was filed with the City Clerk on February 15th, 2016.

Current license holder:

CLASS "A" Beer:

S/S/G Corporation, (SSG Holiday – 1805 N. Broadway), Kimber A. Swanson (Paula J. Moessner) – Agent.

MOTION to convene in closed session under Wisconsin Statutes 19.85 (1) (c), (e), and (g) for the purpose of considering employment, promotion, compensation or performance evaluation data of any public employee over which the government body had jurisdiction or exercises responsibility; deliberating or negotiating the purchase/sale of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session; conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved was made by Ischer, seconded by Cook, and carried unanimously on roll call vote.

MOTION to return to open session was made by Cook, seconded by Luther, and carried unanimously on roll call vote. No action was taken.

MOTION made by Cruz, seconded by Luther, and carried to adjourn.

Cally Lauersdorf
City Clerk